

Attorney Docket: 1274-034K #2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Continuation
Application Based On
Co-pending Application Of:

Applicants : LeRoy Dickson
John Groot
Thomas Amundsen
C. Harry Knowles

Serial No. : 08/886,806

Filed : April 22, 1997

Examiner : Unassigned

Group Art Unit : Unassigned

Attorney Docket : 1274-34B

Honorable Commissioner of Patents
and Trademarks
Washington, D.C. 20231

DECLARATION FOR
FILING OF CONTINUATION APPLICATION UNDER RULE 1.60

Sir:

I, Thomas J. Perkowski, attorney of record in the above identified case, hereby declare and certify that the attached xerox copy of the Application is a true copy of the original prior Application Serial No. 08/886,806 filed on April 22, 1997. The application presently being filed is a Continuation Application of pending Application Serial No. 08/886,806 filed April 22, 1997.

The undersigned declares further that all statements made herein are of his own knowledge, are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the

United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Please charge any additional costs to our firm Depository Account No. 08-2776.

Respectfully submitted,



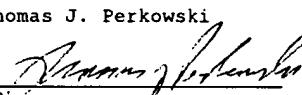
Thomas J. Perkowski, Esq.
Attorney For Applicants
Reg. No. 33,134
Hopgood, Calimafde, Kalil
& Judlowe
60 East 42nd Street
New York, New York 10165
(212) 986-2480

Date: October 3, 1997

Certificate of Mailing under
37 C.F.R. 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service on October 3, 1997 as Postage Paid, Express Mail, Express Mail No. EM568078421US an envelope addressed to: Commissioner of Patent and Trademarks, Washington, D.C. 20231

Name: Thomas J. Perkowski



Signature

Date: October 3, 1997

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COMBINED DECLARATION OF INVENTORSHIP AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention of U.S. Patent Application Serial No. 08/886,806 entitled HOLOGRAPHIC LASER SCANNING SYSTEM AND PROCESS AND APPARATUS AND METHOD FOR DESIGNING AND CONSTRUCTING THE SAME, the specification of which was filed April 22, 1997; which is a Continuation of Application Serial No. 08/726,522 filed October 7, 1996; which is a Continuation of Application Serial No. 08/573,949 filed December 18, 1995.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a), which occurred between the filing date of the prior Application Serial No. 08/573,949 filed December 18, 1995, and the present Application Serial No. 08/886,806 filed April 22, 1997.

I agree that, when requested, I will, without charge to said assignee but at its expense, sign all papers and take all rightful oaths for vesting title to and in said certain inventions in said assignee, its successors, assigns and legal representatives or nominees, and, for reasonable compensation from said assignee if not currently employed by said assignee, do all acts which may be necessary, desirable or convenient for securing and maintaining patents for said certain inventions in any and all countries."

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorneys to prosecute this application and transact all business in the U.S. Patent and Trademark Office connected therewith, Hopgood, Calimafde, Kalil & Judlowe, a firm consisting of Roy C. Hopgood, Reg. No. 15,245; John M. Calimafde, Reg. No. 16,895; Eugene J. Kalil, Reg. No. 16,686; Marvin N. Gordon, Reg. No. 23,094; Stephen B. Judlowe, Reg. No. 21,049; James M. Rhodes, Jr., Reg. No. 25,229; Francis J. Murphy, Reg. No. 24,537; Dennis J. Mondolino, Reg. No. 27,148; William G. Todd, Reg. No. 28,480; Ira B. Winkler, Reg. No. 29,223; James Bollinger, Reg. No. 32,555; and Thomas J. Perkowski, Registration No. 33, 134.

SEND CORRESPONDENCE TO:

Hopgood, Calimafde,
Kalil & Judlowe
60 East 42nd Street
New York, New York 10165

DIRECT TELEPHONE CALLS TO:

Thomas J. Perkowski
at the firm
at (212) 986-2480

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first joint inventor: LeRoy Dickson

Inventor's signature: LeRoy Dickson Date: September 2, 1997

Residence/Post Office Address:

17660 Raccoon Court
Morgan Hill, California 95037

Citizenship: USA

16000P-88224-680

Full name of second joint inventor: John Groot

Inventor's signature: John Groot Date: September 3, 1997

Residence/Post Office Address:

265 Arbor Valley Drive
San Jose, California 95119

Citizenship: USA

Full name of third joint inventor: Carl Harry Knowles

Inventor's signature: Carl Harry Knowles Date: September 1, 1997

Residence/Post Office Address:

425 E. Linden Street
Morristown, New Jersey 08057

Citizenship: USA

Full name of fourth joint inventor: Thomas Amundsen

Inventor's signature: Thomas Amundsen Date: September 5, 1997

Residence/Post Office Address:

620 Glen Court
Turnersville, New Jersey 08012

Citizenship: USA

PATENTS ONLY

Two settings

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(es):

LeRoy Dickson
John Groot
Carl Harry Knowles
Thomas Amundsen

Additional name(s) of conveying party(es) attached? Yes No

3. Nature of conveyance:

Assignment Merger
 Security Agreement Change of Name
 Other _____

Execution Date: Sept. 2, 3, 8, 1997

2. Name and address of receiving party(es):

Name: METROLOGIC INSTRUMENTS, INC.

Internal Address: _____

COLES ROAD AT ROUTE 42

Street Address: _____

City: BLACKWOOD State: NJ ZIP: 08012

Additional name(s) & address(es) attached? Yes No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s)

08/886,806

B. Patent No.(s)

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: HOPGOOD, CALTMAN & DE

Internal Address: KALIL & JUDLOWE

Street Address: 60 EAST 42ND STREET

City: NEW YORK State: NY ZIP: 10165

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41): \$ 40.00

 Enclosed Authorized to be charged to deposit account

8. Deposit account number:

08-2776

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

T.J. PERKOWSKI, ESQ.

Name of Person Signing

T.J. Perkowski
Signature

9/25/97

Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Original Application of :

Applicants : LeRoy Dickson
John Groot
Carl Harry Knowles
Thomas Amundsen

Serial No. : 08/886,806

Filed : April 22, 1997

Title of Invention : HOLOGRAPHIC LASER SCANNING
SYSTEM AND PROCESS AND
APPARATUS AND METHODS FOR
DESIGNING AND CONSTRUCTING
THE SAME

Attorney Docket# : 1274-034B

DECLARATION CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(b)) - SMALL BUSINESS CONCERN

As an authorized official of Metrologic Instruments, Inc., the assignee of the above-referenced application, I hereby declare that Metrologic Instruments, Inc. qualifies as a Small Business Concern as defined in 37 CFR 1.9(d) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the above entitled invention described in the specification of U.S. Patent Application Serial No. 08/886,806 which was filed April 22, 1997.

Metrologic Instruments, Inc. has not assigned, granted, conveyed, or licensed and is under no obligation under contract or law to assign, grant, convey, or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Metrologic Instruments, Inc. acknowledges its duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate.
(37 CFR 1.38(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

METROLOGIC INSTRUMENTS, INC.

Date: September 18, 1997


Carl H. Knowles
President

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